



STATE OF MISSOURI  
MISSOURI ETHICS COMMISSION  
P.O. BOX 1254  
JEFFERSON CITY, MISSOURI 65102

OPINION NO.

1996.01.111

314/751-2020  
1-800/392-8660

February 2, 1996

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At the January 23, 1996 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is in response to your questions:

*A. A corporation or individual expends funds for the purpose of conducting a public opinion poll to determine whether an incumbent or other individual is a viable candidate for a particular public office. After the poll is completed, the corporation or individual is willing to share the results of the poll with either one or all of the candidates or potential candidates for that district.*

*1. Would the money used to underwrite the poll be considered a campaign contribution under Missouri law if the results are shared with all of the candidates and potential candidates in that district?*

**ANSWER:** From the information presented, this may be an in-kind contribution. The value of the contribution may be minimal, and if the person has not requested this information, this would appear to be an independent contribution.

*2. Would the money used to underwrite the poll be considered a campaign contribution under Missouri law if the results are shared only with the incumbent in that district?*

**ANSWER:** The Commission stated this appears to be an in-kind contribution.

*3. Would the money used to underwrite the poll be considered a campaign contribution under Missouri law if the results are shared only with a potential candidate who does not elect to run for office?*

**ANSWER:** From your question, there is no committee formed nor candidate; therefore, there appears to be no way to have a contribution.

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4. *Would the money used to underwrite the poll be considered a campaign contribution under Missouri law if the results are shared only with a potential candidate who later does elect to run for office?*

**ANSWER:** See the answer to 3 above.

*B. A corporation or individual expends funds for the purpose of surveying voter interests and concerns in a particular district. After the survey is completed, the corporation or individual is willing to share the results of the survey with either one or all of the candidates or potential candidates for that legislative district.*

1. *Would the money used to underwrite the survey be considered a campaign contribution under Missouri law if the results are shared with all of the candidates and potential candidates in that district?*

2. *Would the money used to underwrite the survey be considered a campaign contribution under Missouri law if the results are shared only with the incumbent in that district?*

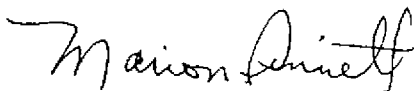
3. *Would the money used to underwrite the survey be considered a campaign contribution under Missouri law if the results are shared only with a potential candidate who does not elect to run for office?*

4. *Would the money used to underwrite the survey be considered a campaign contribution under Missouri law if the results are shared only with a potential candidate who later does elect to run for office?*

The commission stated that the responses to questions B. 1, 2, 3, and 4 can be found in the responses to questions A. 1, 2, 3, and 4.

If our office can be of further assistance, please feel free to contact us.

Sincerely,



Marion N. Sinnett  
Administrative Secretary

MNS:bd

**NOTICE**

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.